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Tino M Monaldo

December 9, 1997

VIA CERTIFIED MAIL

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket
and
Jennifer H. Boyt
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 4643

Dear Mr. Turley and Ms. Boyt:

I am an attorney and representing myself in the above referenced matter. I have reviewed the two complaints filed by the New Mexico Republican Party (NMRP) against the New Mexico Democratic Party (NMDP). It appears the NMRP filed an Amended Complaint on about October 31, 1997. It also appears that the only place my name appears is in paragraph 2 of the Amended Complaint filed on October 31, 1997. It appears that the NMRP is accusing the NMDP of improperly using "soft money" for purposes for which it is alleged only "hard money" could be used.

I have no knowledge about this allegation regarding the appropriate allocations of soft money vs. hard money. However I have no idea how the NMDP used my contribution. It is somewhat disconcerting that by the merely mentioning my name, the NMRP can put me through this psychological harassment of having to respond to an alleged complaint by the Federal Election Commission. Having said that, I want to specifically respond to the allegation by the NMRP where it is alleged that "the NMDP identified the following contributions as having been made/received for the special election of 3rd Congressional District." My name was then listed with the identities of four other persons or organizations.

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OFFICE OF THE
CLERK

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The truth of the matter is quite simple. My law firm, of which I am the President and sole stockholder, contributed \$1,000.00 (see attached copy of check) to the New Mexico Democratic Party. I never conditioned the use of my contribution. I do not recall talking to anyone, who I knew to be an employee for New Mexico Democratic Party, about my contribution.

I was asked by others to give money to the New Mexico Democratic Party. I can only assume it was used for lawful purposes to operate the NMDP. If by some chance the allegation by the NMRP is correct, and the New Mexico Democratic Party identified my contribution as "made/received for the special election of the 3rd Congressional District" then that was action taken by the New Mexico Democratic Party and not by me. Their use of my contribution was not directed or controlled by me. It is simply incredulous to me that the NMRP can make me incur the time and expense to defend myself on an alleged complaint and all I did was perfectly legal in that I contributed corporate funds to the NMDP.

I assume and hope after your review of the facts, you will recognize that there is no violation of the Federal Election Commission Rules by me or my law firm. While I understand you are extremely busy, it would be greatly appreciated if you would send to me, at your earliest convenience, a letter indicating that you had determined that I had not violated the Federal Election Campaign Act of 1971. You can imagine no one would care to have this cloud hanging over their head for any longer than necessary.

If you should have any questions, please do not hesitate to contact me.

Sincerely,


Tino M. Monaldo

jd
Enc.

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TINO M. MONALDO, CHARTERED		7828
P.O. BOX 728 MILWAUKEE, WI 53104-0728		
DATE <u>4/30/97</u>		MEMO # 711
PAY TO THE ORDER OF	<u>New Mexico Democratic Party</u>	\$ <u>1000.00</u>
<u>one thousand dollars and 00/100</u>		DOLLARS <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
BANKIV BANK N.A. Member FDIC		
FOR	<u>Time 2 months</u>	
		